

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

MATSUDA

Atty. Ref.: 159-115

Serial No. 10/567,728

Group: 1632

Filed: January 31, 2006

Examiner: BERTOGLIO

For: THREE-DIMENSIONAL TISSUE STRUCTURE

\* \* \* \* \*

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

September 12, 2011

Sir:

**INFORMATION DISCLOSURE STATEMENT**

- ☐ 1. **PTO-1449 Pursuant to 37 CFR 1.97(b)**  
[within 3 months of filing or prior to 1st Office Action on the merits]  
N/C
- ☐ 2.(a) **Statement Pursuant to 37 CFR 1.97(c)**  
[before Final Office Action or Allowance (requires Rule 97(e)  
Statement or Rule 17(p) fee)] N/C
- ☒ 2.(b) **Fee Payment Pursuant to 37 CFR 1.97(c)**  
[before Final Office Action or Allowance (requires Rule 97(e)  
Statement or Rule 17(p) fee)] \$180.00
- ☐ 3. **Pursuant to 37 CFR 1.97(d)**  
[after Final Office Action or Allowance (requires Rule 97(e)  
Statement and Rule 17(p) fee), but before final fee payment]  
\$180.00

The following are submitted in the above-identified application in compliance with 37 C.F.R. §§ 1.97 and 1.98:

- ☒ 4. A list of documents on Form PTO-1449 together with copies of each identified document and a translation or a concise explanation of each non-English language document (such as a Search Report) is enclosed herewith.

This paper is submitted in accordance with:

- ☐ 5. 37 CFR 1.97(b): [within 3 months of filing or prior to 1st Office Action]
- ☒ 6. 37 CFR 1.97(c): [before Final Office Action or Allowance, whichever is earlier]; and
- ☐ a) The required Statement made in item 8 below; or
- ☒ b) The \$180.00 fee specified in 37 CFR §1.17(p) for submission of this Information Disclosure Statement is authorized in item 9 below.
- ☐ 7. 37 CFR §1.97(d): [after Final Office Action or Allowance (requires Rule 97(e) Statement and Rule 17(p) fee), but before final fee payment]; and
- ☐ a) The fee (\$180.00) required by 37 CFR §1.17(p) is submitted herewith; and
- ☐ b) The required Statement is stated in item 8 below.
- ☐ 8. Statement under 37 CFR 1.97(e)
- ☐ a) The undersigned attorney of record hereby certifies under 37 C.F.R. §1.97(e) that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement (each item contained in this IDS was the first citation of that item by a foreign patent office in a counterpart foreign application which occurred no more than three months prior to the filing of this IDS); or
- ☐ b) No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement, after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

- ☒ 9. Please charge all deficiency fees associated with the submission of this Information Disclosure Statement and any other fees applicable to this application to Deposit Account No. 14-1140. An original and one (1) copy of this document are enclosed.

Respectfully submitted,  
NIXON & VANDERHYE P.C.

By:                     /B. J. Sadoff/                      
B. J. Sadoff  
Reg. No. 36,663

901 North Glebe Road, 11th Floor  
Arlington, VA 22203-1808  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100

**INFORMATION DISCLOSURE  
CITATION**

ATTY. DOCKET NO.

SERIAL NO.

159-115

10/567,728

APPLICANT

MATSUDA

(Use several sheets if necessary)

FILING DATE

GROUP

January 31, 2006

1632

**U.S. PATENT DOCUMENTS**

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

**FOREIGN PATENT DOCUMENTS**

DOCUMENT	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
WO 02/08387 A1	01/2002	WIPO			Abstract

**OTHER DOCUMENTS (including Author, Title, Date, Pertinent pages, etc.)**

	Bruder et al, "Saisei Igaku – tissue engineering no kiso kara saisenntann gijyutu made", pages 677-678 (Jan. 31, 2002), referred to in Office Acton of December 22, 2008
	Saito et al, "Transcoronary implantation of bone marrow stromal cells ameliorates cardiac function after myocardial infarction", The Journal of Thoracic and Cardiovascular Surgery, July 2003, Vol. 126, pages 114-122
	Memon et al, "Nihon-geka-gakkai zasshi", April 2003, Vol. 104, p 422
	Partial translation of Bruder et al, "Saisei Igaku – tissue engineering no kiso kara saisenntann gijyutu made", pages 677-678 (Jan. 31, 2002), referred to in Office Acton of December 22, 2008
	Presentation of Mr. Memon Imran Ahmad at the 67 <sup>th</sup> Annual Scientific Meeting of the Japanese Circulation Society on March 28, 2003
	European Search Report dated August 11, 2011, issued in connection with EP 10 18 3373.9
	Memon, "Tissue Engineered Myoblast Sheet Improves Cardiac Performance", Circulation Journal, Vol. 67, Supplement 1, March 1, 2003, p 89

*Examiner	Date Considered
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Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered.  
Include copy of this form with next communication to application.